

Appln. No.: 10/511,510
Amendment Dated September 18, 2006
Reply to Office Action of August 18, 2006

ITC-330US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/511,510
Applicant: Christopher L. WEST
Filed: May 26, 2005
Title: TEST HEAD POSITIONER SYSTEM
TC/A.U.: 2829
Examiner: Vinh P. Nguyen
Confirmation No.: 4197
Docket No.: ITC-330US

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Responsive to the Restriction Requirement dated August 18, 2006, Applicants elect for further prosecution the claims corresponding to Group I, namely claims 1-9 and 16-19.

This election is made with traverse.

Applicants respectfully request that the claims of Groups I, III and IV be examined together. This request is being made for several reasons.

First, Applicants respectfully wish to point out that the sub classification set forth in the Restriction Requirement are erroneous.

Group I (claims 1-9 and 16-19) has been associated by the Restriction Requirement with subclass 158.1. Subclass 158.1 is a "miscellaneous" sub classification. Test head positioning does not belong in a miscellaneous sub classification. There are other sub classifications that are available and that are more pertinent.

Group III (claim 10) has been associated by the Restriction Requirement with subclass 73.1. Subclass 73.1 relates to "plural, automatically sequential tests." Claim 10, however, is unrelated to sequential testing. Rather, claim 10 (like claims 1-9 and 16-19) relates to positioning.

Group IV (claims 20-21) has been associated by the Restriction Requirement with subclass 758. Subclass 758 relates to "fault-detecting probe alignment or positioning." While this sub classification applies to claims 20 and 21, this sub classification is also applicable to the claims of Groups I and III.

Thus, as the sub classifications of Groups I and III currently have significant error, the Restriction Requirement has been improperly drafted.

Second, the Restriction Requirement identifies how Group II is different than Groups I, III and IV. The Restriction Requirement, however, does not explain how any of Groups I, III or IV are different from each other. Paragraph three of the Restriction Requirement distinguishes between Group II and Groups I-III. Paragraph four of the Restriction Requirement distinguishes between Groups II and Group I. The Restriction Requirement is silent as to any distinction between Groups I, III and IV. Applicants' representative believes that the Restriction Requirement is silent regarding distinction between Group I, III and IV because the claims of those three groups are indeed appropriate to be examined together. This is certainly true as all three groups of claims relate to alignment or positioning. Thus, the Restriction Requirement is also erroneous as there has been no identification of a distinction between any of Groups I, III and IV.

Applicants have made minor amendments for clarification purposes only. The claims are substantially unchanged. The amendments do not render moot any rationale set forth above for examining Groups I, III and IV together.

Accordingly, examination of the claims of Groups I, III, and IV is respectfully requested.



IFW 2829

PTO/SB/21 (09-04) (AW 10/2004)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/511,510
	Filing Date	May 26, 2005
	First Named Inventor	Christopher L. WEST
	Art Unit	2829
	Examiner Name	Vinh P. Nguyen
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ENCLOSURES (Check all that apply)		
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